

MORRISON & FOERSTER LLP  
MICHAEL A. JACOBS (Bar No. 111664)  
mjacobs@mofo.com  
MARC DAVID PETERS (Bar No. 211725)  
mdpeters@mofo.com  
DANIEL P. MUINO (Bar No. 209624)  
dmuino@mofo.com  
755 Page Mill Road, Palo Alto, CA 94304-1018  
Telephone: (650) 813-5600 / Facsimile: (650) 494-0792

BOIES, SCHILLER & FLEXNER LLP  
DAVID BOIES (Admitted *Pro Hac Vice*)  
dboies@bsfllp.com  
333 Main Street, Armonk, NY 10504  
Telephone: (914) 749-8200 / Facsimile: (914) 749-8300  
STEVEN C. HOLTZMAN (Bar No. 144177)  
sholtzman@bsfllp.com  
1999 Harrison St., Suite 900, Oakland, CA 94612  
Telephone: (510) 874-1000 / Facsimile: (510) 874-1460

ORACLE CORPORATION  
DORIAN DALEY (Bar No. 129049)  
dorian.daley@oracle.com  
DEBORAH K. MILLER (Bar No. 95527)  
deborah.miller@oracle.com  
MATTHEW M. SARBORARIA (Bar No. 211600)  
matthew.sarboraria@oracle.com  
500 Oracle Parkway, Redwood City, CA 94065  
Telephone: (650) 506-5200 / Facsimile: (650) 506-7114

*Attorneys for Plaintiff*  
ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

CASE NO. CV 10-03561 WHA

**[PROPOSED] ORDER GRANTING  
ORACLE AMERICA, INC.'S MOTION  
TO EXCLUDE EVIDENCE  
REGARDING GOOGLE'S LICENSE,  
IMPLIED LICENSE, OR EQUITABLE  
ESTOPPEL DEFENSES**

Judge: Honorable William H. Alsup

1 Before this Court is Oracle America Inc.'s Motion to Exclude Evidence Regarding License,  
2 Implied License, or Equitable Estoppel. Based on the arguments presented in the motion, in the  
3 supporting Declaration of Daniel P. Muino, and any other relevant matter, the motion is hereby  
4 **GRANTED.** Google shall not introduce evidence or argument at trial regarding its license,  
5 implied license, and equitable estoppel defenses beyond what Google disclosed in its  
6 interrogatory responses.

7  
8 IT IS SO ORDERED.

9  
10 Date: \_\_\_\_\_

\_\_\_\_\_  
Honorable William H. Alsup  
Judge of the United States District Court